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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: PIANA ET AL-1 EXAMINER: S.M. HEINRICH
SERIAL NO: 10/661,330 GROUP: 1725
FILED: SEPTEMBER 12, 2003
TITLE: DEVICE AND METHOD FOR MACHINING CONNECTING RODS,
AND CONNECTING RODS SO PRODUCED

RESPONSE TO RESTRICTION REQUIREMENT

MAIL STOP: AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated
August 9, 2005, Applicants respectfully respond as follows:

The Patent Examiner has required a restriction to one
of the following 3 inventions:

- I. Claims 1-7, drawn to apparatus for machining steel.
- II. Claims 8-14, drawn to methods of machining steel.
- III. Claim 15, drawn to an article of manufacture.

ELECTION:

The Applicants respectfully select with traverse the second invention of Group II as set forth in claims 8-14, drawn to methods of machining steel for further prosecution.

It is believed that the present invention is directed to a unitary inventive concept, namely, a device and method for machining connecting rods, and connecting rods so produced. It is believed that any search for Group II embodied in claims 8-14 would necessarily include a search for Group I embodied in claims 1-7 and for Group III embodied in claim 15. Thus, a simultaneous search for all of the three Groups is believed not to constitute an unreasonable search for the Patent Examiner.

In addition, it is believed that the objectives of streamlined examination and compact prosecution would be promoted if a search were conducted simultaneously for all of the Groups. Also, the necessity of filing multiple patent applications for the same invention does not serve to promote the public interest. This is because of the extra expense that is involved, in filing fees and examination costs, as well as the burden upon the public due to the necessity of searching through a multiplicity of patent files in order to find the complete range of subject

matter claimed in several different patents that could otherwise be found in one issued patent only.

Applicants expressly reserve the right to file divisional patent applications for the non-selected inventions.

For all these reasons, it is respectfully requested that the Requirement for Restriction under 35 U.S.C. 121 be withdrawn, and that an action on the merits of all the claims be rendered.

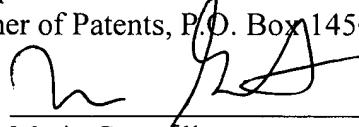
Respectfully submitted,
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I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 7, 2005.


Maria Guastella